

## **IN THE CLAIMS**

Please cancel claim 21 without prejudice and amend claims 1, 19 and 22 as indicated in the following list of pending claims:

### **PENDING CLAIMS**

1. (Currently Amended) A treatment process for a tissue specimen disposed in surrounding tissue comprising ~~the steps of:~~
  - a. providing a treatment device having an elongated shaft with a distal end, an operational portion proximal to the distal end, a tissue cutting member at the operational portion and a tissue damager at the operational portion;
  - [[a]]b. isolating the tissue specimen from the surrounding tissue by at least partially severing the tissue specimen from the surrounding tissue with the tissue cutting member; [[and]]
  - [[b]] c. damaging the isolated tissue specimen with the tissue damager.
- 2 - 18. (Cancelled)
19. (Currently Amended) A process for separating a tissue specimen from surrounding tissue within a patient, comprising ~~the steps of:~~
  - a. separating the tissue specimen from surrounding tissue within a patient;
  - b. encapsulating the separated tissue specimen; and
  - c. damaging the separated tissue specimen.
20. (Previously presented) The process of claim 19 wherein the tissue specimen is damaged after encapsulation.

21. (Cancelled)
22. (Currently Amended) The process of claim 1, wherein the tissue ~~specimen is separated from the supporting tissue by~~ cutting member is an electrosurgical cutting element.
23. (Previously presented) The process of claim 22 wherein the electrosurgical cutting element is an arcuate cutting member.
24. (Previously presented) The process of claim 23 wherein the arcuate cutting member is energized by radio frequency energy.
25. (Previously presented) The process of claim 19 wherein the separated tissue specimen is damaged by the application thereto of radio frequency energy.
26. (Previously presented) The process of claim 19, wherein the separated tissue specimen is damaged by ionizing radiation.
27. (Previously presented) The process of claim 19, wherein the separated tissue specimen is damaged by morcellation.
28. (Previously presented) The process of claim 19, wherein the separated tissue specimen is damaged by raising the temperature of the specimen.
29. (Previously presented) The process of claim 19, wherein the separated tissue specimen is damaged by applying a damaging chemical by the tissue specimen.
30. (Previously presented) A device for separating a tissue specimen from surrounding tissue within a patient, comprising:
- a. an elongated shaft having a proximal portion and a distal portion;

- b. a tissue cutting element on the distal portion for separating a tissue specimen from surrounding tissue;
- c. a tissue encapsulation system on the distal portion to encapsulate the separated specimen; and
- d. a tissue specimen damager disposed at the distal portion.

31. (Previously presented) The device of claim 30, wherein the tissue cutting element is an electrosurgical cutting element configured to be electrically connected to a radio frequency source.

32. (Previously presented) The device of claim 31, wherein the tissue cutting element is configured to be radially extendable to an outwardly bowed position.

33. (Previously presented) The device of claim 33, wherein the tissue specimen damager is configured to be electrically connected to a radio frequency generation source.

34. (Previously presented) The device of claim 33, wherein the tissue specimen damager comprises an ionizing radiation director.

35. (Previously presented) The device of claim 30, wherein the tissue specimen damager comprises a tissue specimen cutter.

36. (Previously presented) The device of claim 30, wherein the tissue specimen damager comprises a thermal treatment system.

37. (Previously presented) The treatment device of claim 30, wherein the tissue specimen damager comprises a chemical introduction system.

38. (Previously presented) The treatment device of claim 37 wherein the chemical introduction system includes a source of a tissue-damaging chemical.

39. (Previously presented) The treatment device of claim 37 wherein the tissue damaging chemical is selected from the group consisting of ethanol, sotradechol, acids, bases, photoreactive agents and mixtures thereof.